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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,024	09/17/2003	Masaru Kanazawa	1614.1362	3499
21171	7590	11/29/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LE, LANA N	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/664,024	KANAZAWA ET AL.
	<b>Examiner</b> Lana N. Le	<b>Art Unit</b> 2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 September 2006.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-15 and 22-24 is/are allowed.
- 6) Claim(s) 16-17,19-20 is/are rejected.
- 7) Claim(s) 18 and 21 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date: _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekine et al in view of Ninh et al (US 5,705,860).

Regarding claim 16, Sekine et al disclose a chassis (20, 105) provided inside of a folding type portable radio machine (fig. 41), comprising:

a first chassis part (20); a second chassis part (105); and a plurality of connection parts (108, 109) provided at the first chassis part (20), and the second chassis part (105); the connection parts (108, 109) connecting the first chassis part (20) and the second chassis part (105);

wherein only of one of the connection parts (109) at the second chassis part (105) connecting to the one of the connection parts (109) at the first chassis part (20) is made of non-conductive material (high resistance material which is non-conductive) (col 12, lines 13-28). Sekine et al do not disclose the surface of one of the connection parts of the second chassis part is made of non-conductive material. Ninh et al disclose a surface of one of the connection parts at the chassis part is made of non-conductive material (col 6, lines 41-48). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to have the surface of the chassis part be nonconductive in order to shield the chassis from conducting electricity with other nearby components.

Regarding claim 17, Sekine et al and Ninh et al disclose the chassis (20, 105) provided inside of the folding type portable radio machine as claimed in claim 16, where Sekine et al disclose the one of the connection parts (109) at the second chassis part (105) is made of non-conductive material.

Regarding claim 18, Sekine et al and Ninh et al disclose the chassis provided inside of the folding type portable radio machine as claimed in claim 16, further comprising a conductive member forming a designated interval with the second chassis and extending from the vicinity of the one connection part of the second chassis to another connection part of the second chassis.

3. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekine et al (US 5,903,822) in view of Ninh et al (US 5,705,860) and further in view of Miller (US 5,784,251).

Regarding claim 19, Sekine et al and Ninh et al disclose the folding type portable radio machine as claimed in claim 16, wherein Sekine et al disclose the chassis parts are rotatably connected to each other (see fig. 41). Sekine and Ninh et al do not explicitly disclose the first and second pluralities of connection parts are formed of a rigid material and are fixedly connected to the first and second chassis parts, respectively. Miller discloses the first and second pluralities of connection parts are formed of a rigid material and are fixedly connected to the first and second chassis

parts, respectively (col 1, lines 5-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the hinged connection part be rigid in order to provide the phone hinge structure of Sekine et al.

Regarding claim 20, Sekine et al and Ninh et al disclose the folding type portable radio machine as claimed in claim 16, wherein Sekine et al and Ninh et al do not explicitly disclose the first and second pluralities of connection parts define an axis of rotation between the first and second chassis parts, about which the first and second chassis parts are rotatably connected to each other. Miller et al disclose the first and second pluralities of connection parts define an axis of rotation between the first and second chassis parts, about which the first and second chassis parts are rotatably connected to each other (col 1, lines 5-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the chassis rotate about an axis of rotation in order to provide the folding angle for the folded phone of Sekine et al.

#### ***Response to Arguments***

4. Applicant's arguments with respect to amended claims 16-20 have been considered but are moot in view of the new ground(s) of rejection.
5. Applicant's arguments filed 9/06/06 with respect to claims 6-12 have been fully considered and are persuasive. The rejection of claims 6-7 and 12 has been withdrawn and they are allowable over the cited prior art.

6. Applicant's arguments, see page 3, item 4, filed 9/06/06, with respect to claims 12-14, and 23 have been fully considered and are persuasive. The rejection of claims 12-14 has been withdrawn and they are allowable over the cited prior art.

Regarding claim 18, it is similar to objected claim 9 in the previous office action, therefore, the content of the allowable subject matter is described in the allowed claim 9 of the previous office action filed 4/06/06.

***Allowable Subject Matter***

7. Claims 18 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 1-5 are allowable over the cited prior art based on applicant's remarks and amendment as discussed during the phone interview on 7/31/06, page 2, lines 19-24.

9. Claims 6-12 and 22 are allowable for failing to disclose or suggest the hinge mechanism part has a part making the first chassis and the second chassis have the electric continuity state, and a part not making the first chassis and the second chassis have the electric continuity state.

10. Claims 13-14, 23 are allowable for failing to disclose or suggest the connection part at the side where the antenna is positioned non-electrically connects the first chassis and the second chassis, and an antenna being extendable to a back surface of

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the first housing, the antenna being provided at one of left and right sides of the second housing.

11. Claim 15 was allowed and new dependent claim 24 is therefore also allowable.

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891. The examiner can normally be reached on M-F 9:30-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lana Le

*Lana M. Le*  
11-21-06  
LANA LE  
PRIMARY EXAMINER